

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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Jia Sheng,

Plaintiff,

**Hon. Hugh B. Scott**

v.

12CV1103S

**Scheduling Order**

M&T Bank Corporation et al.,

Defendant.

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Pursuant to the order of the Hon. William M. Skretny, this case was referred to the undersigned. The parties have moved (Docket No. 18) to modify the dates of the Scheduling Order (Docket No. 14). The parties do not request extension of any dates that have already passed. The parties have demonstrated good cause for the requested extension. The following dates shall apply:

1. This case has been referred automatically to the Alternative Dispute Resolution (ADR) program. The parties are encouraged to continue efforts to resolve this matter through mediation. The referral to mediation shall terminate on **March 31, 2014**. In the event that settlement is not reached, the case will progress toward trial, as scheduled below.

**The referral of this case to mediation will not delay or defer other dates contained in this Scheduling Order and has no effect on the progress of the case toward trial.**

2. All discovery in this case shall conclude on **September 30, 2013**. All motions to

compel shall be due at least **30 days prior** to that discovery cutoff date.

3. The plaintiff's time to make expert disclosure has passed and the parties do not request an extension. The defendant shall identify experts and provide written reports in compliance with Rule 26(a)(2) no later than **September 18, 2013**. All expert discovery shall be completed on or before **September 30, 2013**.
4. In the event settlement is not effectuated through mediation, dispositive motions, if any, shall be filed no later than **January 10, 2014**.
5. In the event no dispositive motions are filed, the parties shall file a status report to the Court (ideally jointly) no later than **February 10, 2013** **showing cause why the parties should not appear before Chief Judge William M. Skretny for the purpose of placing this case on the trial calendar.** If all parties indicate in the status report that the case is ready for trial, the status conference discussed below shall be considered to be cancelled and the parties are hereby directed to contact the Chambers of Chief Judge William M. Skretny to arrange for a Final Pretrial Conference and trial date.
6. A status conference shall take place before the undersigned at the United States Courthouse, 2 Niagara Square, Buffalo, New York on **March 12, 2014 at 2:15 p.m.** at 2:00 p.m., to discuss the readiness of this case for trial. Following the status conference before the undersigned, the parties will be directed to contact the Chambers of Chief Judge William M. Skretny to arrange for a Final Pretrial Conference and trial date.
7. No extension of the above cutoff dates will be granted except upon written joint motion, filed prior to the cutoff date, showing good cause for the extension.

Counsel's attention is directed to Fed. R. Civ. P. Rule 16(f) calling for sanctions in the event of failure to comply with any direction of this Court.

So Ordered.

*/s/ Hugh B. Scott*

United States Magistrate Judge  
Western District of New York

Buffalo, New York  
July 1, 2013